Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014

Message Text

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ACTION ARA-14

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 COME-00 EB-08 LAB-04 SIL-01 HA-05
/091 W
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P 061940Z JAN 78
FM AMEMBASSY ASUNCION
TO SECSTATE WASHDC PRIORITY 1957
INFO AMEMBASSY BRUSSELS PRIORITY
AMEMBASSY BUENOS AIRES PRIORITY
AMEMBASSY CARACAS PRIORITY
AMEMBASSY MEXICO PRIORITY
AMEMBASSY MONTEVIDEO PRIORITY

C O N F I D E N T I A L ASUNCION 72

EO 11652: GDS
TAGS: SHUM, ELAB, AR, PA
SUBJECT: ARRESTS OF CHRISTIAN TRADE UNIONISTS

REF ASUNCION 39

1. THE "DUTY" JUDGE (THE COURTS ARE IN RECESS UNTIL FEBRUARY), DR. BERNABE VALDEZ JANUARY 5 ACCEPTED THE POLICE CHARGE SHEET AGAINST THE 19 CHRISTIAN TRADE UNIONISTS AND RURAL ACTIVISTS ARRESTED DECEMBER 17. HE THEN CONFIRMED THEIR DETENTION IN EMBOSCADA PRISON UNDER LAW 209, "DEFENSE OF PUBLIC ORDER AND PERSONAL LIBERTY", UNTIL THEIR CASES ARE COMPLETED. THE ACCEPTANCE OF THE CHARGE SHEET FORECLOSES THE POSSIBLILITY OF OBTAINING THE PRISONERS' FREEDOM UNDER WRITS OF HABEAS CORPUS.

2. THE JUDGE ALSO SET FEBRUARY 2 AS THE DATE WHEN THE DEFENDANTS' FIRST DECLARATIONS WILL BEGIN. THESE ARE THE DEFENDANTS' REPLIES TO THE POLICE CHARGES AND ARE HEARD INDIVIDUALLY. FOLLOWING THIS, THE JUDGE CONSIDERS THE EVIDENCE AND ISSUES HIS CONFIDENTIAL

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VERDICT. AS THE DECLARATIONS ARE DONE INDIVIDUALLY AND THE VERDICTS ARE GIVEN AT ONE TIME, THE PROCESS WILL TAKE SEVERAL MONTHS. HOWEVER, THE JUDGE CAN RELEASE THOSE AGAINST WHOM HE FEELS THERE IS "INSUFFICIENT EVIDENCE" AT THE TIME OF THEIR FIRST DECLARATIONS. THIS USUALLY OCCURS ONLY WHEN THE ACCUSED HAS BOUGHT HIS WAY OUT OR HAS HAD SUFFICIENT INFLUENCE OR PRESSURE EXERTED ON HIS BEHALF TO SECURE HIS RELEASE.

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3. COMMENT: WE WOULD NORMALLY WELCOME THIS UNUSALLY QUICK
JUDICIAL PROCESSING WERE IT NOT THAT: A) THERE APPEARS TO
BE NO BASIS FOR THE ACCUSATIONS AND ARRESTS AND B) JUDGE
VALDEZ, WHO IS ALSO HANDLING THE BOGADO GONDRA CASE, CONTINUES
TO ENJOY THE REPUTATION OF BEING ONE OF THE MOST
CORRUPT JUDGES IN PARAGUAY AND COMPLETELY UNDER THE DOMINATION
OF THE EXECUTIVE BRANCH.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
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Concepts: UNION GOVERNMENT RELATIONS, ARRESTS, LABOR UNIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 06 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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Disposition History: n/a
Disposition Reason:
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Reference: 78 ASUNCION 39
Retention: 0
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Subject: ARRESTS OF CHRISTIAN TRADE UNIONISTS
TAGS: SHUM, ELAB, AR, PA
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